

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Document #

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U.S.C.A. #

U.S.D.C. #

JUDGE:

DATE:

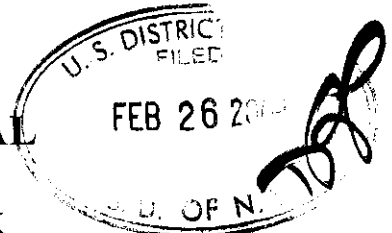
07-W-7555

KMW

FEBRUARY 26, 2008

Parker
-v-
State of New York

INDEX TO THE RECORD ON APPEAL



PREPARED BY (NAME): THOMAS R. PISARCZYK
FIRM: U.S. DISTRICT COURT - SOUTHERN DISTRICT OF NEW YORK
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NEW YORK, NEW YORK 10007
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DISTRICT COURT DOCKET ENTRIES

DOCUMENT DESCRIPTION

DOC. #

CLERK'S CERTIFICATE

SEE ATTACHED LIST OF NUMBERED DOCUMENTS

(XXX) Original Record

() Supplemental Record

The record in the above entitled case was indexed to the U.S.C.A.
for the Second Circuit on the 26th Day of February, 2008.

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

Parker
-v-
State of NY

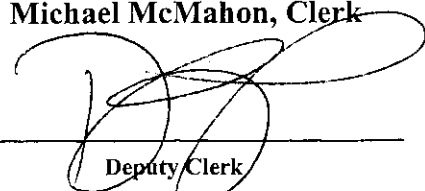
U.S.C.A. # _____
U.S.D.C. # 07-cv-7555
JUDGE: KMW
DATE: FEBRUARY 26, 2008

Clerk's Certificate

I, J. Michael McMahon, Clerk of the Court of the United States District Court for the Southern District of New York, do hereby certify that the certified copy of the docket entries and the original filed papers numbered 1 Through 5, inclusive, constitutes the Original record on appeal in the above entitled proceedings except for the following missing documents:

<u>Date Filed</u>	<u>Document Description</u>
_____	_____
_____	_____
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In Testimony Whereof, I have caused the seal of said Court to be hereunto affixed, at the City of New York, this 26th Day of February In this year of our Lord, Two Thousand and Eight, and the Independence of the United States this 232ND year.

J. Michael McMahon, Clerk
By 
Deputy Clerk

APPEAL, CLOSED, HABEAS, PRO-SE

U.S. District Court
United States District Court for the Southern District of New York (Foley Square)
CIVIL DOCKET FOR CASE #: 1:07-cv-07555-KMW
Internal Use Only

Parker v. State of New York
Assigned to: Judge Kimba M. Wood
Cause: 28:2254 Petition for Writ of Habeas Corpus (State)

Date Filed: 08/27/2007
Date Terminated: 01/25/2008
Jury Demand: None
Nature of Suit: 530 Habeas Corpus (General)
Jurisdiction: Federal Question

Date Filed	#	Docket Text
08/27/2007	(1)	DECLARATION IN SUPPORT OF REQUEST TO PROCEED IN FORMA PAUPERIS. Document filed by Onnie Jr. Parker.(mbe) (Entered: 08/30/2007)
08/27/2007	(2)	PETITION FOR WRIT OF HABEAS CORPUS pursuant to 28 U.S.C. 2254..Document filed by Onnie Jr. Parker.(mbe) (Entered: 08/30/2007)
08/27/2007		Magistrate Judge Frank Maas is so designated. (mbe) (Entered: 08/30/2007)
08/27/2007	(3)	60 DAYS ORDER....I direct the Clerk of Court to assign a docket number to this action. I dismiss petitioner's claim under 1983 and direct him to file an amended 2254 petition as set forth below. I grant petitioner leave to file an amended petition that conforms to the requirements of Rule 2 of the Section 2254 Rules and details and details which of his grounds for relief, presented in a manner that complies with Rule 2. Petitioner is advised that under Rule 2, his amended petition must explain in a short and plain fashion exactly what claims he wishes to make and the facts that are relevant to those claims. In addition, he should state what steps he has taken to exhaust his state court remedies, including the grounds alleged in each of his state court proceedings. No answer is required at this time and all further proceedings are staying for sixty (60) days from the date of this order. If petitioner fails to notify the Court that he wishes to withdraw this petition or fails to file an Amended Petition within sixty (60) days from the date of this order, the petition will be dismissed. If an Amended Petition is timely filed by petitioner, it will be reviewed and then, if proper, will be reassigned to a district judge in accordance with the procedures of the Clerk's office. I certify pursuant to 28 U.S.C. 1915(a) that any appeal from this order would not be taken in good faith. (Signed by Judge Kimba M. Wood on 8/27/2007) (mbe) (Entered: 08/30/2007)
01/25/2008	(4)	JUDGMENT that the petition is dismissed without prejudice. As petitioner has not made a substantial showing of the denial of a constitutional right, a certificate of appealability will not issue. The Court certifies pursuant to 28 U.S.C. 1915(a)(3) that any appeal from the Court's Order would not be taken in good faith. (Signed by Judge Kimba M. Wood on 1/25/08) (ml) (Entered: 01/28/2008)
01/28/2008		Mailed notice of Right to Appeal to Pro Se Litigant(s): Onnie Jr. Parker. (ama) (Entered: 01/28/2008)
02/21/2008	(5)	NOTICE OF APPEAL from 4 Judgment. Document filed by Onnie Jr. Parker. Copies mailed to attorney(s) of record: Attorney General, NYS. (tp) (Entered: 02/25/2008)
02/21/2008		Appeal Remark as to 5 Notice of Appeal filed by Onnie Jr. Parker. \$455.00 APPEAL FEE DUE. IFP REVOKED 1/28/08. COA DENIED 1/28/08. (tp) (Entered: 02/25/2008)
02/25/2008		Transmission of Notice of Appeal and Certified Copy of Docket Sheet to US Court of Appeals re: 5 Notice of Appeal. (tp) (Entered: 02/25/2008)
02/25/2008		Transmission of Notice of Appeal to the District Judge re: 5 Notice of Appeal. (tp) (Entered: 02/25/2008)